



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,714	07/18/2003	Tomio Hirano	240464US6	1566
22850 7590 05/30/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
			EXAMINER CHEVALIER, ALICIA ANN	
			ART UNIT 1772	PAPER NUMBER
			NOTIFICATION DATE 05/30/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No. 10/621,714	Applicant(s) HIRANO ET AL.	
	Examiner Alicia Chevalier	Art Unit 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/17/07</u> . | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

Request for Continued Examination

1. The Request for Continued Examination (RCE) under 37 CFR 1.53 (d) filed on March 8, 2007 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claims 19-30 are pending in the application, claims 1-18 have been.
3. Amendments to the claims, filed on February 2, 2007, have been entered in the above-identified application.

REJECTIONS

4. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

Claim Rejections - 35 USC § 103

5. Claims 19, 21, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allaire et al. (U.S. Patent No. 6,327,875) in view of Yoneda et al. (U.S. Patent No. 5,314,731).

Regarding Applicant's claim 19, Allaire discloses a glass for an automobile (*col. 2, line 33*) comprising a glass substrate (*col. 2, lines 52-55*), which is deemed to have a first principal surface and at least one first side surface at an outermost peripheral edge of the first principal surface and at least one first side surface being substantially perpendicular to the first principal surface (*figure 1*). The at least one first side surface includes a first laser mark formed thereon

Art Unit: 1772

and extending from the peripheral edge of the first principal surface along the at least one first side surface (*figure 1*) for a depth of 0.06 mm or more (*col. 5, lines 4-7*).

The preamble “for a touch panel” is deemed to be a statement with regard to the intended use and is not further limiting in so far as the structure of the product is concerned. In article claims, a claimed intended use must result in a ***structural difference*** between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. MPEP § 2111.02.

Allaire fails to disclose that the surface roughness of the cut side face of the glass substrate is 50 nm or less.

Yoneda discloses window glass for automobiles (*col. 1, lines 14-19*). Yoneda teaches that substantial scorching or a fine roughness, i.e. high surface roughness, on the surface of a glass lowers its basic function and scatters light on its surface making is difficult to secure the field of view, and consequently there will be a problem in securing safety (*col. 1, lines 46-52*).

Allaire and Yoneda are analogous because both disclose glass for windows in automobiles.

The exact surface roughness of the glass is deemed to be a result effective variable with regard to the scattering of light. It would require routine experimentation to determine the optimum value of a result effective variable, such as surface roughness, in the absence of a showing of criticality in the claimed surface roughness. *In re Boesch*, 205 USPQ 215 (CCPA 1980), *In re Woodruff*, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990). One of ordinary skill in the art would have been motivated by disclosure of Yoneda to minimize the surface roughness in order

Art Unit: 1772

to avoid substantial scattering of light. One would have been motivated to minimize the surface roughness because it would allow better field of view and thus secure safety.

Regarding Applicant's claim 21, Allaire discloses that the glass substrate has no crack and pulverized powder at the cut side face, since the reference discloses that it provides separation edges of good quality with a particle free median crack (*col. 2, lines 25-26*).

Regarding Applicant's claim 29, Allaire discloses that the glass substrate has a thickness equal to or greater than 0.25 mm and less than or equal to 0.7 mm (*col. 4, lines 20-27*).

Regarding Applicant's claim 30, Allaire discloses that the glass substrate is a planar glass plate (*figure 1*).

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allaire in view of Yoneda as applied above, and further in view of Chiba et al. (U.S. Patent No. 6,287,996).

Allaire and Yoneda are relied upon as described above.

Allaire and Yoneda fail to disclose that the glass substrate has a strength of 45 kgf or more and 90 kgf or less on a static load test.

Chiba discloses a glass comprising a glass substrate with a strength of 45 kgf or more and 90 kgf or less based on a static load test (*col. 11, lines 13-18*), which does not deteriorate (*col. 2, lines 40-45*).

Allaire, Yoneda and Chiba are analogous because they all disclose glass for windows in automobiles.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have a glass with a strength of 45 kgf or more and 90 kgf or less based on a static load test in the Allaire and Yoneda as taught by Chiba in order to insure the strength will not deteriorate.

Art Unit: 1772

7. Claims 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allaire in view of Yoneda as applied above, and further in view of Ariglio et al. (U.S. Patent No. 5,826,772).

Allaire and Yoneda are relied upon as described above. Furthermore, Allaire is deemed to disclose that the glass substrate has at least one second side surface at the outermost peripheral edge of the first principal surface and the at least one second side surface being substantially perpendicular to the first principal surface (*figure 1*).

Allaire and Yoneda fail to disclose the that the at least one second side surface includes a second laser mark formed thereon.

Ariglio discloses a method of laser marking a glass substrate on two opposing sides (*figure 1 and col. 1, lines 60-66*), which is advantages because the intersecting vent cracks are formed on opposite sides of the glass sheet, there is no “healing” phenomenon observed, resulting in higher quality and more consistent break edges (*col. 2, lines 26-30*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use laser marks on both sides of the glass substrate in the combination Allaire and Yoneda as taught by Ariglio in order to have higher quality and more consistent break edges.

ANSWERS TO APPLICANT'S ARGUMENTS

8. Applicant's arguments in the response filed February 8, 2007 regarding the previous rejections of record have been considered but are moot since the rejections have been withdrawn.

Art Unit: 1772

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ac
5/20/07


**ALICIA CHEVALIER
PRIMARY EXAMINER**